

HENNEPIN COUNTY

MINNESOTA

Hennepin County Policy Plan Comments

September 13, 2023

Minnesota Pollution Control Agency
c/o Peder Sandhei
520 Lafayette Road N
St. Paul, MN 55155

Re: Metropolitan Solid Waste Management Policy Plan 2022-2042

Thank you for the opportunity to comment on the Draft Metropolitan Solid Waste Management Policy Plan. Overall, the policy plan's vision, key themes, goals, and policies align with the county's commitment to achieving a zero-waste future. Hennepin County is a leader on waste reduction and recycling and many of our initiatives are in the plan: Fix-It Clinics, Zero Waste Challenge, residential curbside organics collection, management of organics by large commercial food generators, and support for deconstruction and building material reuse.

Our recently finalized Zero Waste Plan complements the MPCA's policy plan and will be the foundation for the county's state-mandated 2024 Solid Waste Management Plan. Reaching zero waste will require bold leadership at the state level and significant changes to current solid waste policies, programs, product design, consumption habits, and resources. Our feedback on the policy plan addresses how to allocate limited resources, flexibility at the local level, and MPCA involvement with implementation.

Weekly recycling – Strategy 28

Hennepin County strongly opposes the MPCA's requirement to collect recycling weekly. All 44 city recycling programs in the county collect recycling every other week. Many of our cities have already explored this option through their contracting processes and opted against pursuing it due to cost. This mandate would cost Hennepin County residents at least \$22 million per year, without any data to show the investment would result in a significant increase in recyclables collected. In addition, weekly recycling would double greenhouse gas emissions from trucks and increase damage to roads.

We also have concerns about how this requirement will exacerbate the ongoing shortage of drivers in the solid waste industry. We recommend that the MPCA change this strategy from required to optional and allow for alternatives such as upgrading to a larger cart or adding an extra cart. We also suggest that the MPCA conduct a cost-benefit analysis that compares this strategy to alternatives.

Hennepin County

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Commercial Recycling – Strategy 33

In 2018, Hennepin County updated its recycling ordinance, Ordinance 13, to include commercial recycling requirements that exceed the state’s recycling requirements for businesses in the Twin Cities metro. Our requirement applies to all businesses, regardless of waste service levels. With more than 40,000 businesses in Hennepin County, utilizing our staff resources to enforce our business recycling requirements will be far more impactful than developing a dozen business recycling case studies per year. We recommend making this an optional strategy or a state-led one given it is based on a state recycling requirement.

Pre-processing – Strategy 34

We support pre-processing of trash as a necessary strategy for getting to zero waste, but we strongly oppose mandatory implementation by 2025 as a first step. This requirement could have a capital cost of well over \$100 million and the short timeline is simply not achievable. We encourage the MPCA to consider reasonable incremental strategies to move this forward. The policy plan says that “processing methods should be evaluated prior to implementation” and that metro counties should engage in infrastructure planning. We recommend an approach like the one in our Zero Waste Plan: study options for recovering recyclable materials from the trash and conduct a cost-benefit evaluation.

In addition, we encourage the MPCA to focus this strategy on landfills or give credit to resource recovery facilities for the recyclable materials recovered from the trash, which equate to approximately 3% of the waste processed – more than twice the amount of metal collected from residential curbside collection programs.

Measurement – Strategies 1, 4, 26, 35

State statute requires haulers to report to the MPCA. Hauler reporting is clearly the responsibility of the MPCA and we recommend that Strategy 1 be changed from required to optional and use the phrase “promote compliance” rather than “increase compliance.” The MPCA should not imply that noncompliance is a county issue.

We also recommend that the MPCA focus its compliance efforts on hauler reporting for recyclables and use its enforcement authority to improve compliance rates. We have identified commercial recycling as a persistent data gap and top area to address. The county does not license recycling haulers and the MPCA is best positioned to collect the data by using its existing authority to follow up with a short list of recycling haulers that provide service across the metro, rather than have multiple counties duplicate efforts to collect the same data.

Finally, we recommend that the MPCA lead a collaborative process to develop a consistent reporting methodology for metro counties. This process should address how to use hauler and facility data, conduct business surveys, prevent double counting, and improve the tracking of self-hauling. To aid with this effort, the MPCA could require counties to provide documentation that describes their reporting methodology.

Flexibility

In previous policy plans the MPCA allowed counties to propose alternative strategies that met the same overarching goals. We encourage the MPCA to provide more flexibility throughout the plan. For example, Strategy 37 mandates residential curbside organics collection in cities with a population greater than 5,000, while the county's ordinance applies to cities with a population greater than 10,000. We request that the MPCA support the county's approach of focusing on larger cities that have a bigger impact.

In addition, we request that the MPCA be less prescriptive on the specifics of implementation. For example, Strategy 38 requires bi-annual mailings to residents about backyard composting and Strategy 59 requires monthly household hazardous waste (HHW) drop-off events. The overall goals of these strategies – expand outreach and increase participation – can be achieved through other methods that are effective and less costly.

Wood waste

The growing challenges in managing wood waste have been overlooked in the policy space for far too long. Minnesota has approximately 1 billion ash trees and the emerald ash borer (EAB) is already having a serious impact on the metro area. The region's over-reliance on one facility for wood waste management has led to significant challenges that we must now face proactively. We strongly encourage the MPCA to include at least one state-led strategy in the wood waste section. The scale of this problem calls for a collective approach that goes beyond individual county action.

In addition to giving more consideration to the state's leadership role, we recommend that the MPCA modify language about tree treatment. It is not always true that "it is much less expensive to treat trees and keep them living than to remove and replace them." Treatment needs to be done in perpetuity and can easily exceed the removal cost. While treatment can be beneficial for a well-maintained ash tree, it is not true for most ash trees. Treatment should be focused on healthy ash trees not yet affected by EAB.

Food-derived compost – Strategy 50

We support the requirement to use food-derived compost in county construction and landscaping projects, but this strategy should be led by the MPCA and implemented at the state level. County transportation departments and contractors have extensive experience using MNDOT specifications. A MNDOT requirement is more likely to result in widespread, successful implementation than a county requirement. We recommend that the MPCA partner with MNDOT to revise the MNDOT 3890 specifications to require the use of a percentage of food-derived compost in roadside construction projects. The existing Grade 2 compost specifications do not require food-derived compost. The specifications can be met by using yard waste. This needs to be resolved.

Sustainable building & deconstruction

We are pleased to see the MPCA include several strategies aimed at construction and demolition waste. It is estimated the amount of construction and demolition waste is equal to, and possibly more than, the amount of municipal solid waste, yet little is being done to address it. Additionally, construction materials have some of the highest climate impacts. Hennepin County is committed to reducing and diverting these materials for reuse and recycling and has implemented many programs and policies over the past two decades to reduce the cost of deconstruction, increase building

material reuse, and ensure county facilities are reusing and recycling construction and demolition waste. We would like to do more but lack authority to go beyond internal policies, subsidies, and incentives.

We fully support the intent of Strategy 60 – implement the use of a building material management plan – and believe it is very much needed but we do not have authority to require it. Cities issue construction and demolition permits and while we can ask them to implement building material management plans, without construction and demolition waste authority, we cannot mandate they do so. The MPCA currently includes an optional building material management plan as part of its 10-day building demolition notification application, we encourage the agency to reconsider this strategy as a state-led strategy and make it mandatory through its existing demolition notification application process.

Going forward

Thank you again for the opportunity to comment. We hope this feedback contributes to a more effective policy plan that accelerates progress toward zero waste. We look forward to working with the MPCA to build momentum and spur collective action to advance a more equitable zero-waste future. If you want to discuss any of our comments in more detail, please contact Lisa Cerney by phone at 612-348-3054 or via email at lisa.cerney@hennepin.us.

Sincerely,



David J Hough
Hennepin County Administrator

Sincerely,



Lisa Cerney
Assistant County Administrator – Public Works